

Remarks

Amendments

Claims 1, 6, 7, 8, 9, 11, 13, and 15 have been amended to recite “or pathogen.” Support for the amendment can be found in the specification at, *inter alia*, page 8, lines 9-22. This is not a narrowing amendment. Claims 1, 2, 7, 11, 13, 15, and 17 have been amended for clarity without narrowing the scope of the claims. Several claims have been amended to recite an “antibody sample” instead of a “sera or serum sample.” This is not a narrowing amendment and does not imply that the “antibody sample” is a purified sample. Support for the amendment can be found in the specification at, *inter alia*, page 12, line 14 through page 13, line 8. Claims 1, 11, 13, and 15 have been amended to recite obtaining one or more antibody samples from one or more hosts infected with the microbe or pathogen. This is not a narrowing amendment. Support for the amendment can be found in the specification at, *inter alia*, page 10, lines 19-20. Claim 6 has been amended to recite “demonstrating that the antibodies are reactive with biological samples from disease sites from a host infected with the microbe or pathogen, but not reactive with cells or cellular extracts of the microbe or pathogen that have been grown *in vitro*. . . .” Support for the amendment can be found in the specification at, *inter alia*, page 14, line 16 through page 15, line 5. New claims 18-19 have been added. Support for the new claims can be found in the specification at, *inter alia*, page 11, lines 4-6.

Applicants note that many of the claims require several steps and that the order in which the steps are performed is not critical. That is, the steps can be performed in an order other than stated in the claim.

Amendments to the claims are made without prejudice or disclaimer, and do not constitute amendments to overcome any prior art or other statutory rejections. The amendments are fully supported by the specification as filed and thus do not introduce new matter. Additionally, these amendments are not and should not be construed as admissions regarding the patentability of the claimed subject matter. Applicants reserve the right to pursue the subject matter of previously presented claims in this or in any other appropriate continuation, continuation in part, or divisional patent application. Applicants expressly reserve the right to seek broader claims in this or any other

appropriate continuation, continuation in part, or divisional application. Accordingly, Applicants respectfully request the entry of the amendments presented herein.

Interview Summary

On September 1, 2009, the undersigned and Examiner Steele participated in a telephonic interview. Claim 1 and amendments thereto were discussed. No prior art was discussed. No other pertinent matters were discussed.

Respectfully submitted,

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